

## REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-21 are pending.

### Entry of Amendment under 37 C.F.R. § 1.116

The Applicant requests entry of this Rule 116 Response because: the response was not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed.

#### **I. Rejection under 35 U.S.C. 102**

In the Office Action, at page 2, claims 1 and 11 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 6,334,663 to Lee. This rejection is respectfully traversed because Lee does not discuss or suggest:

head caps to revolve between a capping position and an uncapping position of printer heads;

a slider to slide with respect to the head caps, and having wipers mounted on a front end portion thereof;... and

a revolution unit disposed between the head caps and the slider to revolve the head caps in association with the sliding of the slider with respect to the head caps,

as recited in independent claims 1 and 11.

Lee discusses a service station device 100 including a head cap 350 disposed as part of a capping assembly 300. The capping assembly 300 has a rectangular moving member 310 having two pairs of guide pins 380 and 380' extending laterally at both sides of front and rear portions thereof that are inserted into guide slots 140, 140' in the housing 110 of the service station device 100. The cap 350 is inserted into a hole in the moving member 310 and is biased upwardly by a biasing member 353. In addition, the service station device 100 includes a cleaner 200, which is separate from the capping assembly 300, and includes a wiper 210 for cleaning a nozzle 7 of a printer head.

First, the Examiner alleges that the housing 110 and the guide pins 380 correspond with the slider of claim 1, for example. However, while the guide pins 380 could arguably be construed to be a slider that slides, the housing 110 cannot be construed to be a unit that slides, and thus cannot be construed to be a slider that slides. Thus, while the wipers 210 may be

attached to the housing 110 at a front end of the housing 110, the wipers 210 are not attached to a unit that slides. In particular, even if the wipers 210 are construed to be attached to the housing 110, the wipers 210 are not attached to both the housing 110 and the guide pins 380. The Examiner does not allege that the housing 110 alone or the guide pins 380 alone correspond with a slider that slides, but alleges that the combination of the housing 110 and the guide pins 380 corresponds with the slider. Thus, in accordance with the Examiner's own interpretation of the slider of Lee, both the housing 110 and the guide pins 380 must have wipers mounted on a front end portion thereof.

In contrast, as shown in Fig. 7 of the present invention, for example, the wipers 51 are directly mounted to the slider 61. Thus, the present invention of claim 1, for example, clearly articulates that the wipers must be mounted onto the unit that slides with respect to the head caps.

Further, the alleged slider (housing 110 and guide pins 380) do not slide with respect to the head caps 350. While the head cap 350 may slide with respect to the housing 110, the housing 110, which is stationary, cannot be construed to slide with respect to the head cap 350. Further, the guide pins 380 move with the head cap 350 as the moving member 310 moves. Thus, the guide pins 380 move with, and not with respect to, the head cap 350.

In addition, Lee does not discuss or suggest that the head cap 350 revolves between a capping position and an uncapping position. The Merriam-Webster online dictionary defines the term "revolve" as "to turn or roll round on an axis." As shown in Figs. 7 and 8 of the present invention, when the link 71 moves forward and off of the flat top surface of the guide 93, the revolving member 45, upon which the head cap 31 is disposed, is caused to rotate with respect to a central axis of the revolving member 45 (in a direction through the paper). Thus, when the head cap 31 of the present invention of claim 1, for example, moves between a capping position (see Fig. 7) and an uncapping position (see Fig. 8), the head cap 31 turns or rotates about a central axis. Therefore, the head cap 31 revolves between a capping position and an uncapping position.

In contrast, as clearly shown in Figs. 6 and 7, the head cap 350 does not revolve about a central axis of the head cap 350, but merely moves from a first position (Fig. 6) to a second position (Fig. 7) based on the position of the moving member 310 of the capping assembly 300. The Examiner alleges that, as the head cap 350 moves from a first position to a second position along a curved path in association with the sliding of the capping assembly 300, the head cap

350 therefore revolves. However, the term “revolve” does not mean that the unit moves along a curved path, but that the unit must turn or move with respect to a central axis.

Here, Lee does not articulate that the head caps 350 are able to move with respect to a central axis. The Examiner alleges that the head caps 350 revolve based merely on an amorphous axis. However, Lee does not articulate that the head caps 350 move with respect to a central axis, but merely that the head caps 350 move in a curved path. There is no indication, however, that the curved path is in relation to a central axis such that the head caps 350 would revolve about such an axis.

Therefore, as Lee does not discuss or suggest “head caps to revolve between a capping position and an uncapping position of printer heads; a slider to slide with respect to the head caps, and having wipers mounted on a front end portion thereof;...and a revolution unit disposed between the head caps and the slider to revolve the head caps in association with the sliding of the slider with respect to the head caps,” as recited in independent claims 1 and 11, claims 1 and 11 patentably distinguishes over the reference relied upon. Accordingly, withdrawal of the §102(b) rejection is respectfully requested.

In the Office Action, at page 3, claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of U.S. Patent No. 6,679,579 to Tee et al. This rejection is respectfully traversed.

The Examiner concedes that Lee does not suggest that the slider slides in a perpendicular direction with respect to a printing direction of the printer heads, but indicates that Tee makes up for the deficiencies in Lee, alleging that “it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of Tee into the device of Lee, for the purpose of maintaining the inkjet print head at its optimal condition.” The Applicants respectfully disagree.

First, Tee does not make up for the deficiencies in Lee with respect to independent claim 1, as discussed above.

Second, if the teaching of Tee were incorporated into the device of Lee, the device of Lee would both change the principle of operation of the Lee reference and would render the Lee reference inoperable for its intended purpose, both of which are not permitted in establishing a *prima facie* case of obviousness. In particular, if the housing 110 and guide pins 380 of Lee were moved to slide in a perpendicular direction with respect to a printing direction of the printer heads, the head cap 350 of Lee would not be able to cap the printer head 1. Thus, the principle

of operation of Lee would be changed, and Lee would be rendered inoperable for its intended purpose.

In addition, the cited "motivation" of "maintaining [the] inkjet print head at its optimal condition" would not in any manner have led one of ordinary skill in the art to combine the housing 110/guide pins 380 of Lee with an operation of a slider in a direction perpendicular to that of the printing direction of the printer heads. Specifically, the "motivation" gives no indication as to how or why the alleged slider would be caused to operate to move in a perpendicular direction with respect to the printing direction.

Therefore, as the combination of the teachings of Lee and Tee does not suggest all the features of independent claim 1, from which claim 10 depends, as the combination of Lee and Tee does not suggest that "the slider slides in a perpendicular direction with respect to a printing direction of the printer heads," and as the incorporation of the slider of Tee into the device of Lee would render Lee inoperable for its intended purpose and would change the principle of operation of Lee, claim 10 patentably distinguishes over the references relied upon. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

## **II. Allowable Subject Matter**

The Applicants are appreciative of the indication that claims 2-9 and 12-21 would be allowable if rewritten in independent form. Claims 2-9 and 12-21 have not been rewritten in independent form, as it is believed that independent claims 1 and 11 are patentable over the references relied upon.

**Conclusion**

In accordance with the foregoing, claims 1-21 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

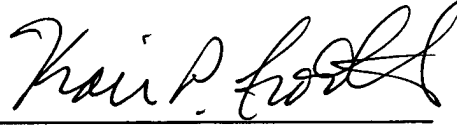
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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